
STATUTORY INSTRUMENTS

1994 No. 1932

The Medicines (Advertising) Regulations 1994

PART III

Advertising to the Public

Prohibition of certain material in advertisements

9.—(1) Subject to regulation 11, no person shall issue an advertisement relating to any relevant medicinal product which contains any material which—

- (a) gives the impression that a medical consultation or surgical operation is unnecessary, in particular by offering a diagnosis or by suggesting treatment by post, FAX or telephone,
- (b) suggests that the effects of taking the medicinal product are guaranteed, are unaccompanied by side effects or are better than, or equivalent to, those of another identifiable treatment or medicinal product,
- (c) suggests that health can be enhanced by taking the medicinal product,
- (d) suggests that health could be affected by not taking the medicinal product,
- (e) is directed exclusively or principally at children,
- (f) refers to a recommendation by scientists, health professionals or persons who are neither of the foregoing but who, because of their celebrity, could encourage the consumption of medicinal products,
- (g) suggests that the medicinal product is a foodstuff, cosmetic or other consumer product,
- (h) suggests that the safety or efficacy of the medicinal product is due to the fact that it is natural,
- (i) might, by a description or detailed representation of a case history, lead to erroneous self-diagnosis,
- (j) refers, in improper, alarming or misleading terms, to claims of recovery,
- (k) uses, in improper, alarming or misleading terms, pictorial representations of changes in the human body caused by disease or injury, or of the action of a medicinal product on the human body or parts thereof, or
- (l) mentions that the medicinal product has been granted a product licence.

(2) In this regulation, “FAX” means the making of a facsimile copy of a document by the transmission of electronic signals.